



*Hereford Independent School District
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Hereford, Texas 79045
(806) 364-0606
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January 8, 2012

FCC:

CC Docket No. 02-6

This is a letter of appeal on behalf of the Hereford Independent School District.

- Appellant name: Joe Mendez / Hereford Independent School District
- Application Number 870486
- Appellant Name: Joe Mendez
- Applicant BEN: 141841
- Form 471 Application Number: 870486
- "Funding Commitment Decision Letter for Funding Year 2012"

The Hereford Independent School District is appealing the text of "Comment on RAL corrections: The applicant did not submit any RAL corrections." on each of the funding request numbers (2374301, 2374330, 2374356, 2374398, 2374439, 2374455, and 2374608) under application 471: 870486.

My name is Joe Mendez and I am the E-Rate administrator for the Hereford Independent School District in the state of Texas.

I received a funding commitment decision letter on September 7, 2012 (dated September 5, 2012). The letter stated that Form 471 Application Number: 870486 was denied.

USAC stated the reason for the denial was due to the missing Item 21 attachments not being submitted on or before the due date. I appealed to USAC in regards to consideration of the Bishop Perry FCC decisions dated 5/19/06 in not warning applicants of upcoming deadline dates. USAC stated that the process they followed was to look for proof of Item 21 submissions by the due date and I would have to appeal to the FCC at this point.

I would like to add that USAL S&L did notify me on or about March 2, 2012 of a "Notification of Form 470 Posted but No Associated form 471" and not for any Item 21 attachment upcoming deadlines. The notification stated the following:

This letter provides the notice required by the Bishop Perry Order ([FCC 06-54](#), released 5/19/2006) for you to submit a complete FCC Form 471 in time to be considered as filed within the application filing window. The FY2012 FCC Form 471 application filing window closes at 11:59 PM EDT on March 20, 2012.

Please disregard this notice if you have recently submitted your FCC Form 471 or will not be requesting Universal Service Funds for services based on any of the FCC Forms 470 listed below.

Complete [program information](#) is posted on our website. You may also contact our Client Service Bureau using the "[Submit a Question](#)" link on our website, toll-free by fax at (888) 276-8736, or toll-free by phone at (888) 203-8100.

Schools and Libraries Division

I ran a search on our email archive server from March 2012 (the time the 471 was originally filled) up until July 31, 2012 and could not find any notifications of upcoming Item 21 upcoming due dates from USAL S&L.

Hereford ISD was not sent any notifications of upcoming Item 21 attachments upcoming due dates as required by the Bishop Perry Order. It is for that reason that I am asking for your consider in overturning the denial decision for form 471 Application Number 870486.

I've made a formal appeal to the USAC and I received a letter dated December 10, 2012. The letter stated that the decision on appeal was denied related to funding request numbers: 2374301, 2374330, 2374356, 2374439, 2374455, and 2374608.

I would respectfully ask for your consideration in accepting Form 471 application 870486. As I mentioned before, I did a search on all my emails relating to ERate (USAC) correspondence and could not find an Item 21 confirmation email for the 2012-13 year. However, in doing the email search, I did not find any emails communications from USAC relating towards an upcoming deadline of Item 21 attachments before May 9, 2012. I received two email communications relating to the non-filed Item 21 attachments after the deadline date had passed – one dated July 31, 2012 and the other dated August 8, 2012.

In the past, USAC has sent out notices before a filing window closes, approaching deadlines, or missing documentation thus helping applicants comply with rules and regulations USAC/FCC has set. As noted on the Bishop Perry FCC decisions (FCC0-06-54) dated 5/19/06, we feel that we were not allowed or warned of upcoming deadline dates thus leading to a 100% denial of all telecommunication services (Priority 1 Services).

Form 486 was completed and filed on 1/17/12 on a timely manner; Form 471 was completed and filed on 3/20/2012 on a timely manner that includes all Item 21 dollar amounts. All the data that was entered into Form 471 match all Item 21 Attachments.

applicant (Hereford ISD) has always been a success in the past but this year we did not receive an approaching deadline communication related to Item 21 upcoming deadline date until the filing date had passed.

Hereford ISD has always valued what USAC had brought to the district and values the services and financial help it brings to the community. Hereford ISD would never take advantage or defraud the program in any way.

Please reconsider in accepting the Form 471 application 870486. The 471 application is only in regards to priority 1 services.

If you have any questions, please call or email me anytime –
joemendez@herefordisd.net / (806) 363-7600

I am attaching a copy of the Item 21 attachments sent to USAC on August 14 and August 15, 2012.

Sincerely,



Joe Mendez
Hereford ISD
Technology Director

806.363.7600 Ex. 1015
joemendez@herefordisd.net

ITEM 21 ATTACHMENT

Applicant: Hereford Independent School District
BEN: 141841

Attachment: AT&T Mobile 2012-2013
Application: 870486

Narrative description: Mobile and Internet Phone Service

| Quantity | Product or Service Description | Unit Cost | Extended Pre-discount Cost | |
|----------|--|------------|----------------------------|---------------|
| | | | Recurring | Non-Recurring |
| 12 | Monthly Charges 20 Mobile Lines 3 Internet Lines | \$2,660.00 | 31,920.00 | |
| TOTAL: | | | \$31,920.00 | \$0.00 |

| ITEM 21 ATTACHMENT | | | | |
|---|---|------------|--|---------------|
| Applicant: Hereford Independent School District BEN: 141841 | | | Attachment: SBC/AT&T Plexar 2012-2013 Application: 870486 | |
| Narrative description: Basic phone service contract for entire school district. | | | | |
| Quantity | Product or Service Description | Unit Cost | Extended Pre-discount Cost | |
| | | | Recurring | Non-Recurring |
| 12 | Plexar Service to district 128 Lines | \$1,527.83 | 18,333.96 | 0.00 |
| Account #: 8063644413 511 9 | | TOTAL: | \$18,333.96 | \$0.00 |

ITEM 21 ATTACHMENT

Applicant: Hereford Independent School District
 BEN: 141841

Attachment: SBC/AT&T LD 2012-2013
 Application: 870486

Narrative description: Long Distance Service for entire school district.

| Quantity | Product or Service Description | Unit Cost | Extended Pre-discount Cost | |
|--------------------------|------------------------------------|---------------|----------------------------|---------------|
| | | | Recurring | Non-Recurring |
| 12 | Long Distance Service 127 Lines | \$1,451.62 | 17,419.44 | |
| Acct #: 8063640606 585 8 | | TOTAL: | \$17,419.44 | \$0.00 |

| ITEM 21 ATTACHMENT | | | | |
|--|--|-----------|--|---------------|
| Applicant: Hereford Independent School District BEN: 141841 | | | Attachment: SBC/AT&T T1 Lines 2012-2013 Application: 870486 | |
| Narrative description: T-1 line used for Internet access | | | | |
| Quantity | Product or Service Description | Unit Cost | Extended Pre-discount Cost | |
| | | | Recurring | Non-Recurring |
| 12 | Monthly T1 service - WTRT (ISP) to District Office | \$230.98 | 2,771.76 | |
| Account #: 8061438076 656 9 | | TOTAL: | \$2,771.76 | \$0.00 |

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| ITEM 21 ATTACHMENT | | | | |
|--|--|------------|--|---------------|
| Applicant: Hereford Independent School District BEN: 141841 | | | Attachment: WTRT Internet 2012-2013 Application: 870486 | |
| Narrative description: Internet access to school district office, where it is further distributed to schools over district's wide area network | | | | |
| Quantity | Product or Service Description | Unit Cost | Extended Pre-discount Cost | |
| | | | Recurring | Non-Recurring |
| 12 | Monthly Internet access service 60 MG | \$2,700.00 | 32,400.00 | |
| | | TOTAL: | \$32,400.00 | \$0.00 |

ITEM 21 ATTACHMENT

Applicant: Hereford Independent School District
BEN: 141841

Attachment: WTRT Fiber 2012-2013
Application: 870486

Narrative description: Internet access to school district office, where it is further distributed to schools over district's wide area network

| Quantity | Product or Service Description | Unit Cost | Extended Pre-discount Cost | |
|----------|--|------------|----------------------------|---------------|
| | | | Recurring | Non-Recurring |
| 12 | Fiber to 11 Locations @ \$110/per location (month) | \$1,210.00 | 14,520.00 | |
| TOTAL: | | | \$14,520.00 | \$0.00 |

ITEM 21 ATTACHMENT

Applicant: Hereford Independent School District
BEN: 141841

Attachment: Distance Learning 2012-2013
Application: 870486

Narrative description: Distance Learning Service to Hereford ISD

| Quantity | Product or Service Description | Unit Cost | Extended Pre-discount Cost | |
|----------|--------------------------------------|------------|----------------------------|---------------|
| | | | Recurring | Non-Recurring |
| 12 | Distance Learning Service to 3 Carts | \$1,916.66 | 22,999.92 | |
| 12 | Ineligible Monthly Amount | -\$75.00 | -900.00 | |
| TOTAL: | | | \$22,099.92 | \$0.00 |